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Viewing cable 08MANAGUA761, GOVERNMENT BARS TWO MAIN DEMOCRATIC PARTIES FROM

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Understanding cables

Every cable message consists of three parts:

- The top box shows each cables unique reference number, when and by whom it originally was sent, and what its initial classification was.
- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
- The bottom box presents the body of the cable. The opening can contain a more specific subject, references to other cables ([browse by origin](#) to find them) or additional comment. This is followed by the main contents of the cable: a summary, a collection of specific topics and a comment section.

To understand the justification used for the classification of each cable, please use this [WikiSource](#) article as reference.

Discussing cables

If you find meaningful or important information in a cable, please link directly to its unique reference number. Linking to a specific paragraph in the body of a cable is also possible by copying the appropriate link (to be found at the paragraph symbol). Please mark messages for social networking services like Twitter with the hash tags **#cablegate** and a hash containing the reference ID e.g. **#08MANAGUA761**.

Reference ID	Created	Released	Classification	Origin
08MANAGUA761	2008-06-16 15:07	2011-08-30 01:44	CONFIDENTIAL	Embassy Managua

Appears in these articles:

<http://www.nacion.com/2011-05-30/Mundo/NotasSecundarias/Mundo2758456.aspx>
<http://www.nacion.com/2011-05-30/Mundo/NotasSecundarias/Mundo2758467.aspx>
<http://www.nacion.com/2011-05-30/Mundo/NotasSecundarias/Mundo2758468.aspx>
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<http://www.confidencial.com.ni/articulo/3966/la-ldquo-injerencia-rdquo-de-ee-uu-en-el-2006>
<http://www.nacion.com/2011-05-23/Mundo/Relacionados/Mundo2758764.aspx>
<http://www.nacion.com/2011-05-23/Mundo/NotaPrincipal/Mundo2758753.aspx>
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<http://www.confidencial.com.ni/articulo/4040/la-ldquo-injerencia-rdquo-de-venezuela-en-2006>
<http://www.confidencial.com.ni/articulo/4047/rodrigo-barreto-enviado-de-ldquo-vacaciones-rdquo>
<http://www.nacion.com/2011-05-16/Mundo/NotasSecundarias/Mundo2757239.aspx>
<http://www.nacion.com/2011-05-16/Mundo/NotaPrincipal/Mundo2746658.aspx>
<http://www.nacion.com/2011-05-16/Mundo/Relacionados/Mundo2757244.aspx>
<http://www.nacion.com/2011-05-16/Mundo/Relacionados/Mundo2746673.aspx>
<http://www.confidencial.com.ni/articulo/3991/dra-yadira-centeno-desmiente-cable-diplomatico-eeuu>
<http://www.confidencial.com.ni/articulo/3968/pellas-pronostico-a-eeuu-victoria-de-ortega-en-2006>
<http://www.confidencial.com.ni/articulo/3967/barreto-era-ldquo-fuente-confiable-rdquo-para-eeuu>

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RUMIAAA/CDR USSOUTHCOM MIAMI FL PRIORITY
RUEHBS/USEU BRUSSELS PRIORITY
RUEAIIA/CIA WASHDC PRIORITY
RHEFDIA/DIA WASHINGTON DC PRIORITY
RUEKJCS/JOINT STAFF WASHINGTON DC PRIORITY
RHEHNSC/NSC WASHINGTON DC PRIORITY

C O N F I D E N T I A L MANAGUA 000761

SIPDIS

STATE FOR WHA/CEN AND DRL
STATE PASS USAID FOR LAC - CARDENAS
NSC FOR FISK/ALVARADO

E.O. 12958: DECL: 06/16/2018
TAGS: [PHUM](#) [PGOV](#) [KDEM](#) [NU](#)
SUBJECT: GOVERNMENT BARS TWO MAIN DEMOCRATIC PARTIES FROM
ELECTIONS

REF: MANAGUA 706

Classified By: Ambassador Paul Trivelli, Reasons 1.4 (b, d)

11. (C) SUMMARY. On June 11, Nicaragua's Supreme Electoral Council (CSE) revoked the legal registration (personeria juridica) of the Movement for Sandinista Renovation (MRS) and the Conservative Party (PC), two minority democratic parties that represent as much as 20 percent of the potential electorate. The ruling prevents the parties from participation in elections for the next four years, including the November municipal elections, as well as from using the party names and symbols. Ominously, the decisions were also forwarded to the Prosecutor General's office for action, opening the door for criminal prosecutions. Following the announcement, hundreds of demonstrators in support of the parties and the hunger strike of MRS leader Dora Maria Tellez, blocked a major intersection of Managua for hours and later marched on Rivas's home, chanting "coward." Demonstrations are continuing, including in other cities. Civil society and other opposition leaders have publicly denounced the decision and a range of joint actions are planned for the coming days.

CSE TAKES STRICT APPROACH

12. (U) On June 11, the Supreme Electoral Council issued the expected decrees (reftel) barring the MRS and PC from participating in elections for the next four years, including the upcoming municipal elections, based upon several supposed violations of the Electoral Law. The CSE ruled that the PC had failed to register candidates in 80 percent of the 153 municipalities and 80 percent of the available seats (i.e., at least 1589 candidates), as required by the law. According to the CSE, following the initial candidate registration period, 501 PC candidates renounced their candidacy and were replaced by only 400 candidates, leaving a deficit of 101. Under the new total, the PC therefore had on 75.8 percent of the necessary candidates and failed to meet the basic minimum, "established by the law" for participation. The CSE therefore ruled to revoke the party's personeria juridica for a period of four years and forwarded the notice to the Prosecutor General's office for investigation of "electoral fraud."

13. (U) Regarding the MRS, in a six-page convoluted decision, the CSE ruled that the MRS had failed to properly establish, document and register a number of the municipal and

departmental branches of the party, as required by the Electoral Law. This process dated from the February 2007, when the MRS changed its name and structures from the Movement for the Rescue of Sandinismo to the Movement for Sandinista Renovation. In particular, the CSE determined that in 52 municipal party structures, insufficient information was provided, nullifying these structures. Because the process of establishing these party structures failed to meet both internal party and CSE legal requirements, the CSE found that the MRS had "auto-dissolved" itself, and therefore its legal registration was also canceled and the case sent forward to the Prosecutor General's office for potential electoral fraud, similar to the PC above.

14. (C) Several party legal experts suggested to us that both the PC and MRS had probably committed the errors identified by the CSE. However, these errors, under the CSE's own standards and past history, should have been treated as administrative violations resulting in temporary suspension of the party until the corrections are made and the party's lists or statutes brought into conformity with the CSE. In particular, the CSE decision that the MRS had "auto-dissolved" itself empowered the CSE to revoke the personería jurídica and eliminate the party for the next four years, a decision not legally possible under a simple administrative penalty.

CIVIL SOCIETY PUSHES BACK AND BEGINS TO UNITE

15. (C) Civil society and party leaders responded immediately.

MRS and PC activists blocked a prominent intersection in central Managua, where MRS leader Dora Maria Tellez has been on a hunger strike for more than a week in support of the party and respect for human rights and the rule of law. The hunger strike location has quickly become the center for opposition activity over the past week and a rallying point for all those concerned about democracy and the rule of law in Nicaragua. Protesters blocked the intersection for hours and later marched on the home of CSE Chief Roberto Rivas, chanting "coward," breaking through the front gates, and later overturning a press vehicle belonging to FSLN-controlled TV channel 4. Vamos con Eduardo-PLC leader and Managua mayoral candidate Eduardo Montealegre denounced the decision and over 200 VCE-PLC municipal candidates, in town for training, joined the demonstration in a sign of support. Further demonstrations, including several organized by coalitions of NGOs, are planned for the coming days. Comments by other civil society organizations, including the two leading business associations, will be reported septel.

COMMENT

16. (C) The CSE decision, though expected, is a serious blow to the democratic movement and represents a significant narrowing of democratic space in Nicaragua. Without these parties, Nicaraguan voters are left with few democratic alternatives in the municipal elections or for the foreseeable future. Regardless of the legal merits of the cases, the CSE clearly applied its authority in an arbitrary and partisan manner, ignoring other small parties aligned with or controlled by the FSLN, and in implementing the most punitive decision possible, rather than following a standard administrative procedure.

17. (C) At the same time, the decision has served as a wake-up call to Nicaragua's civil society and democratic political leadership on the need to cooperate, bridge their differences, and unite in the face of growing threats to fundamental democratic freedoms. Montealegre and MRS leader Edmundo Jarquin are looking at possible joint efforts, along with key civil society organizations, in the coming week to demonstrate unity among the democratic forces. If this can happen, Nicaragua's democratic movement will have taken a significant step forward. Nonetheless, FSLN President Ortega

and PLC leader Arnolfo Aleman have demonstrated with this decision that they are prepared to engage whatever public and international risk is necessary to eliminate potential threats to their continued accumulation of personal political power.

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